

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BRIAN SPEAR, ET AL.

v.

ATRIUM MEDICAL CORP., ET AL.

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CIVIL ACTION NO. 22-876

ORDER

This 12th day of August, 2022, for the reasons set forth in the accompanying memorandum, it is hereby **ORDERED** that the motions to dismiss filed by Defendants Atrium Medical Corporation and Maquet Cardiovascular US Sales LLC, ECF 9, Defendant Getinge AB, ECF 13 & 14, are **GRANTED in part** and **DENIED in part**. Counts IV and V of Plaintiffs' Complaint are dismissed with prejudice as to Defendants Atrium Medical Corporation and Maquet Cardiovascular US Sales LLC. Count VI is dismissed with leave to amend as to Defendants Atrium Medical Corporation and Maquet Cardiovascular US Sales LLC.

It is further **ORDERED** that Plaintiffs are granted seventy-five (75) days to conduct jurisdictional discovery as to Defendant Getinge AB.

It is further **ORDERED** that the parties shall meet and confer on or before **September 9, 2022**, and file a Rule 26(f) report with the Court.¹

/s/ Gerald Austin McHugh
United States District Judge

¹ Chambers shall email counsel a template Rule 26(f) form.